

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GREG GULICK,

Plaintiff,

v.

CITY OF PITTSTON,

Defendant.

CIVIL ACTION NO. 3:12-CV-141

(JUDGE CAPUTO)

ORDER

NOW, this 13th day of June, 2012, **IT IS HEREBY ORDERED** that:

- (1) Defendant City of Pittston's Motion to Dismiss (Doc. 8) is **GRANTED**.
- (2) Count II of Plaintiff Greg Gulick's Complaint is **DISMISSED**.
- (3) Mr. Gulick has **twenty-one (21)** days to amend his complaint to properly allege a violation of his due process rights under the Fourteenth Amendment. If he fails to amend his complaint within that period, it will be dismissed with prejudice.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge